

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(NORTHERN DIVISION)**

TELECOMMUNICATION SYSTEMS,  
INC.,  
275 West Street  
Annapolis, MD 21401  
County of Residence: Anne Arundel

Plaintiff,

v.

ESCORT, INC.,  
BELTRONICS USA, INC.  
5440 West Chester Road,  
West Chester, OH 45069

Defendants.

Civil Action No. 1:13-cv-02178

JURY TRIAL DEMANDED

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff TeleCommunication Systems, Inc. (“TCS”), for its Complaint against Defendants Escort, Inc. (“Escort”) and Beltronics USA, Inc. (“Beltronics”), alleges as follows:

**THE PARTIES**

1. Plaintiff TCS is a Maryland corporation with a principal place of business at 275 West Street, Suite 400, Annapolis, Maryland 21401. TCS conducts business in the judicial district of the Southern District of Maryland.

2. TCS is a publicly traded company (NASDAQ:TSYS), and a leading provider of mission-critical wireless data solutions to carriers, enterprise and government customers (including those residing in this judicial district). TCS’ wireless data offerings include location-based Enhanced 9-1-1 services and messaging and location service infrastructure for wireless

operators, real-time market data and alerts for financial institutions, mobile asset management and mobile office solutions for enterprises, and encrypted satellite communications for government customers. TCS is heavily dependent on research and development, and the patenting of its innovations, for its success and continued growth. To date, TCS has been granted over three hundred (300) U.S. patents.

3. Defendant Escort is an Illinois corporation doing business at 5440 West Chester Rd, West Chester, Ohio 45069.

4. Defendant Beltronics is a wholly owned subsidiary of Defendant Escort, and is co-located with Escort at 5440 West Chester Rd, West Chester, Ohio 45069.

5. Defendants Escort and Beltronics make, sell, offer to sell, and/or import radar detectors which are advertised to be “Escort Live!” compatible. These include the PASSPORT MAX, PASSPORT 9500 series, PASSPORT REDLINE, PASSPORT 8500 series, BELTRONICS STi MAGNUM, BELTRONICS PRO 500, BELTRONICS PRO 300, BELTRONICS V10, BELTRONICS V8, and BELTRONICS V6.

6. Defendants products identified above, and others, are “Escort Live Compatible,” meaning that they can be sold together or separately with a power cord that includes electronics that permits the radar detector to communicate with a user’s smart phone.

7. Through a smart phone application provided by Defendants, and a subscription service provided by Defendants, users can identify locations of speed traps or other traffic information and share that information with other users.

**JURISDICTION AND VENUE**

8. This action arises under the patent laws of the United States, 35 U.S.C. §§ 100, et seq., and this Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

9. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

10. This Court has personal jurisdiction over Defendants, as upon information and belief, Defendants carry on continuous, systematic, and ongoing business in this judicial district, and Defendants have committed, induced and/or contributed to acts of patent infringement in this district and whose effects are felt in this district and give rise to this action.

**THE '236 PATENT**

11. TCS holds all right, title, and interest in and to United States Patent No. 7,471,236 (“the ’236 patent”), entitled “Cellular Augmented Radar/Laser Detector,” issued to Lance Douglas Pitt, Sarah Jean Lawrence, and Daniel D. DeLapp on December 30, 2008. A copy of the ’236 patent is attached hereto as Exhibit 1.

12. The ’236 patent covers methods, systems, and devices, that facilitate communication of radar detection information through a cellular or other network.

13. Defendants’ products, particularly those identified as “compatible with Escort Live!,” and identified by model numbers above, alone or in combination with software and other hardware, and/or subscription services, infringe one or more claims of the ’236 patent.

**COUNT I**

**(Patent Infringement of the '236 Patent)**

14. TCS repeats, realleges, and incorporates by reference the allegations in paragraphs 1-13 as if fully set forth herein.

15. Defendants Escort and Beltronics have infringed, directly or indirectly, one or more claims of the '236 patent through, among other activities, the manufacture, use, importation, sale and/or offer for sale of products, services, methods, and technology permitting users to communicate speed detection information to other users, through "Escort Live!" subscription services alone or in conjunction with hardware and software sold by Defendants. Such hardware and software pass radar emission data (e.g., detection event) from one radar detector device to another in the vicinity in order to give drivers more advance warning.

16. Defendants Escort and Beltronics have also knowingly and intentionally induced others to infringe (such as its customers, users and business partners in this judicial district and throughout the United States) by willfully and intentionally aiding, assisting and encouraging their infringement. Defendants have also knowingly contributed to infringement by others such as customers, within the meaning of 35 U.S.C. § 271 (c).

17. Defendants' infringement has injured TCS and TCS is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty. Such damage might also include lost profits and price erosion damages based on injury to TCS's efforts to commercialize its own products covered under the '236 patent.

18. Defendants Escort and Beltronics have committed acts of infringement with full knowledge of the '236 patent and its applicability to their business and products and on information and belief, without having taken adequate and necessary steps to avoid infringement.

For example, Defendant Escort was provided with actual notice of the '236 patent, along with a copy of the patent, and was offered an opportunity to purchase rights in and to the '236 patent but declined, and instead choosing to infringe in an objectively reckless manner, with complete disregard of TCS's rights in the '236 patent, in violation of 35 U.S.C. § 284.

19. Defendants' infringement has injured and will continue to injure TCS, unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further manufacture, use, importation, offers for sale and/or sale of infringing products and services that fall within the scope of any of the claims of the '236 patent.

#### **PRAYER FOR RELIEF**

WHEREFORE, TCS prays for the following relief:

- a. a judgment declaring that Defendants Escort and Beltronics infringe the '236 patent;
- b. that this Court enter a judgment that Defendants Escort and Beltronics knowingly and willfully engaged in such infringement;
- c. that this Court permanently enjoin Defendants Escort and Beltronics and its officers, directors, agents, servants, affiliates, divisions, branches, subsidiaries, parents, licensees, successors, and assigns, and all persons acting in concert or privity with any of them, from infringement of the '236 patent;
- d. an award of damages, costs, expenses, pre-judgment interest, and post-judgment interest;
- e. an award of enhanced damages pursuant to 35 U.S.C. § 284 due to the willful nature of Defendants' infringement of the '236 patent;
- f. an order accounting for damages incurred by TCS;

g. an order declaring that this action is an exceptional case within the meaning of 35 U.S.C. § 285, and an award of reasonable attorneys' fees; and

h. such other relief to which it may be entitled in law or equity and which this Court deems to be just or proper.

**JURY DEMAND**

TCS hereby demands a trial by jury.

Respectfully submitted,

Dated: July 26, 2013

/s/ Edward A. Pennington  
Edward A. Pennington, MD Bar No. 29080

Siddhesh V. Pandit  
(*pro hac vice* motion to be filed)

SMITH, GAMBRELL & RUSSELL, LLP  
1055 Thomas Jefferson Street, N.W.,  
Suite 400  
Washington, D.C. 20007  
Tel: (202) 263-4300  
Fax: (202) 263-4329  
epennington@sgrlaw.com  
spandit@sgrlaw.com

*Attorneys for Plaintiff*  
**TELECOMMUNICATION SYSTEMS, INC.**